



Our ref: 09150

23<sup>rd</sup> August 2013

Director Urban Assessments  
NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Attention Ms. Natasha Harras

Dear Sir/Madam,

**RE: Major Project Application MP10\_0068 Proposed Retail and Commercial Development of Westfield Shopping Centre Parramatta**

We write in response to Parramatta Council's further submission dated 14<sup>th</sup> August 2013 in relation to the above Major Project. This further submission from Council responds to the proponent's Preferred Project report (PPR) which included a response to issues raised in submissions received by Department of Planning and Infrastructure (DoPI) during the exhibition of the proposal.

Parramatta Council's further submission to the proposed development maintains Council's previously expressed position objecting to the proposed development. No new issues are contained in the Council's further submission.

### **Retail Impact**

Parramatta Council continues to take issue with the retail impacts of the proposed development. The Council has reviewed the updated Economic Impact Statement (dated May 2013) and advises that its concerns are not diminished. The Council submission does not indicate how the updated Economic Impact Statement has failed to address its concerns.

The DoPI has ample information from the proponent's economic impact consultant addressing the economic impacts of the proposed development. Westfield Parramatta is part of the Parramatta CBD and the proposed additions will have substantial positive impacts on the Parramatta CBD as a whole.

There will be a limited and acceptable impact on the trading performance of other retail centres in the retail catchment. Parramatta Council is a competing developer in terms of its concerns about potential impacts on the planned development of Parramatta Square.



Council's opposition to the proposed development appears to be influenced by its commercial interests in Parramatta Square. Council's concerns in relation to perceived economic impacts on competing developments are not a valid town planning objection and should be given little if any weight.

There are no issues of retail impact that relate to legitimate planning grounds, which would justify refusal of the proposed development.

### **Urban Design and Public Domain**

#### Office Tower Floor Plate

Parramatta Council continues to seek a reduction in the floor plate footprint of the proposed office tower. The floor plate proposed has been specifically designed to meet the needs of major tenants of regional, State and national significance. Parramatta CBD lacks A grade office buildings with larger floor plates. This places the Parramatta CBD at a disadvantage compared to locations such as the nearby Macquarie Park and other similar office park locations.

The proponent has submitted ample economic and urban design justification for the proposed office floor plate size. The development site is the largest in the Parramatta CBD and is capable of accommodating a larger floor plate. Council's 3D drawing of visual impact as viewed from Old Government House clearly demonstrates that the future office tower building in the foreground, which we understand accords with the tower form envisaged in the DCP, due to its significant length, has far greater visual impact than the office tower proposed for the Westfield Parramatta site.

Should the DoPI form the view that it is essential for floor plate size to be reduced, then as the office tower component is at concept plan stage only, it would be feasible to impose a consent condition that the floor plate be reduced to 1,400m<sup>2</sup> and increased building height up to 120m be allowed. This is not the preferred position of the proponent, but such a change would not render the office plate unviable. It would however significantly reduce suitability of the building for many potential major tenants and make leasing far more difficult.

#### Public Domain Upgrade and Activation

Parramatta Council continues to seek changes to the existing façade and introduction of additional active street frontages at street level. These issues have been addressed at length in the proponent's response to submissions. The façade and ground level changes requested by the Council are beyond the scope of the project, in most cases are unaffordable, or cannot be implemented structurally. The subject changes sought by Council are unreasonable. Requiring the project design to be changed with respect to existing facades and ground floor street level interface, as requested by the Council is not feasible and is effectively a refusal of the application.



Improvements to the public domain fronting and connecting to the site can be addressed by way of a consent condition which requires that a Public Domain Improvements plan be prepared in consultation with Council, prior to release of the Construction Certificate. The proponent is required to pay a developer contribution of 3% of total project value, equating to more than \$12 million. A portion of this contribution can be allocated for public domain improvements.

#### Public Arts Plan

Council considers that the proposed contribution of \$60,000 towards public art is inadequate and should be levied at a rate equivalent to 0.25% of the total project cost, which equates to an additional levy of \$1 million for public art. This excessive levy also fails to acknowledge that the proponent is required to pay a developer contribution to Council of more than \$12 million. A portion of this contribution could be utilized to augment the public art budget. A consent condition can be imposed requiring preparation of a Public Arts Plan in consultation with Council, prior to issue of the Construction Certificate.

#### **Traffic**

The proponent is agreeable to the inclusion of consent condition that require that suitable directional signage be provided within the retail mall and the Campbell Street access directing pedestrians to the location of the taxi pick/up and set down and to the pedestrian access.

The proponent is agreeable to a consent condition requiring adjustment/reduction/relocation of the planter boxes in Argyle Street where they encroach beyond the boundaries of the site.

In order to avoid any confusion in relation to the additional boom gate on the Marsden Street speed ramp entry, the proponent is agreeable to a consent condition that requires such boom gate to be installed and included on the Construction Certificate drawings.

The proponent acknowledges that any contribution by the proponent towards improvements to public roads is additional to the Section 94A contribution payable to Council. The issue of implementation and funding road improvements is addressed in our separate response to the RMS correspondence dated 1<sup>st</sup> August 2013 wherein the RMS outlined its requirements in relation to road improvements.

#### **Landscaping**

The proponent is agreeable to a consent condition requiring that construction details be provided prior to issue of the Construction Certificate showing substrate depth, drainage, waterproofing, and so on for ground floor and roof top planters



The proposed development provides for construction of an additional retail level and a future office tower above the existing shopping mall. There is no justification to require what is effectively a reconstruction of the ground floor level and existing façades on the basis that these components of the existing development are not up to Parramatta Council's current expectations. The existing building, including its facades and ground floor street frontage interface were approved by Parramatta Council.

The proponent is required to pay the Council a developer levy of 3% of the project value, equating to a contribution of more than \$12 million. At the same time Council is seeking significant additional funding/expenditure from the proponent for public domain improvements and public art. The proponent, in addition to the developer levy of 3%, has offered an additional \$60,000 towards public art and is prepared to undertake a staged upgrading of the public domain fronting the site, where existing footpaths, street furniture and landscaping are not up to standard.

Parramatta Council has been given ample opportunity to convey its views on the proposed development. Those views appear to be influenced by Council's role as a competing developer and by seeking to impose unreasonable requirements, which if supported by the DoPI, would effectively render the project unviable.

We trust that the DoPI can now proceed to complete its assessment of the proposed development and look forward to a favourable determination. We would be pleased to meet with the DoPI to discuss any issues, or aspects of the proposed development that may remain require further information or clarification, to facilitate completion of DoPI's assessment. The proponent would also welcome an opportunity to enter into discussions with the DoPI to determine a reasonable level of contribution towards public domain improvements and public art, having regard to the significant amount of Section 94A levy that is payable to Council.

Yours faithfully

**Nick Juradowitch**  
**Director**  
**Ingham Planning P/L**